

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DIONISIO POLANCO,

Plaintiff,

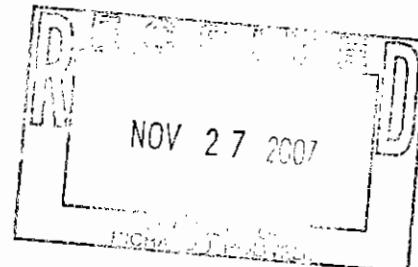
-against-

NELMOR CO., INC., AEC NELMOR AND AEC
INC.,

Defendant.

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PROPOSED SCHEDULING
ORDER

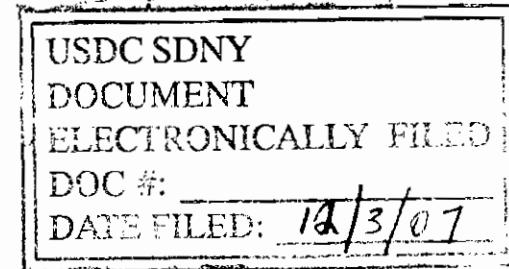
Index # 07 CIV 7728



1. Description of the Case:

a) Trolman, Glaser & Lichtman, P.C.
777 Third Avenue
New York, NY 10017
Attorneys for Plaintiff
By: Evan Goldberg, Esq.

Bivona & Cohen, P.C.
88 Pine Street
Wall Street Plaza
New York, NY 10005
Attorneys for Defendants
By: Richard Fedrow, Esq.



b) Diversity.

c) Plaintiff was using a plastic grinding machine in the course of his employment when it unintentionally activated, causing fractures and partial amputations in his left hand. Negligence and strict product liability claims have been presented against the manufacturer of the machine. Failure to warn and/or properly warn is also alleged. No counterclaims have been interposed.

d) Major legal and/or factual issues will involve the nature of the product, the manner of its use and responsibility for the product and occurrence.

e) Damages are sought for medical expenses, related expenses, lost earnings and pain and suffering.

2. Proposed Case Management Plan:

a) There are no pending motions.

b) Joinder of additional parties is to be accomplished by ~~April 30, 2008.~~ ^{March 14}

c) Amendments to pleadings must be accomplished by ~~April 30, 2009.~~ ^{May 14}

d) i. Rule 26(a) disclosures to be completed by December 20, 2007.
ii. Fact discovery to be completed by April 18, 2008.
iii. Rule 26(a)(2) disclosures to be completed by May 23, 2008.
iv. Expert disclosure to be completed by June 27, 2008.

e) Dispositive motions to be filed by July 25, 2008.

f) Final pretrial order to be filed by September 15, 2008.

i. A jury trial is requested by both parties
ii. Probable length of trial is two weeks
iii. The case is to be trial ready by October 24, 2008.

3. At the present time, the parties have not unanimously consented to proceed to trial before a Magistrate Judge.

4. No settlement discussions have occurred; the parties are not requesting a settlement conference at this juncture.

Dated: New York, New York
November 21, 2007

Jim Goy
BY: EVAN GOLDEBERG, ESQ.
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David Holwell by Mr. Golde
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(212) 363-3100

A status conference shall be held on 4/25/08
at 10:00

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Hon. Richard J. Holwell,
U.S.D.J.

u/20/07